

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF LOUISVILLE)	
GAS AND ELECTRIC COMPANY FOR A)	CASE NO.
DECLARATORY ORDER REGARDING THE)	2016-00317
PROPER METHOD OF MUNICIPAL FRANCHISE)	
FEE RECOVERY)	

ORDER

On April 20, 2017, Louisville/Jefferson County Metro Government (“Louisville Metro”) filed a motion seeking to compel Louisville Gas and Electric Company (“LG&E”) to respond to certain information requests issued by Louisville Metro. The motion also requests a suspension of the existing procedural schedule, noting that the deadline for the filing of rebuttal testimonies was April 21, 2017, and asserting that, due to the discovery dispute, Louisville Metro lacks material information to develop its rebuttal testimony. On April 21, 2017, the Commission issued an Order suspending the April 21, 2017 deadline for the filing of rebuttal testimony. Also, on April 21, 2017, LG&E filed a motion to extend the time to file rebuttal testimony until the Commission has ruled on Louisville Metro’s motion to compel. On April 27, 2017, LG&E filed a response objecting to Louisville Metro’s motion to compel, but noting that it is attempting to informally resolve the discovery issue with Louisville Metro. LG&E states that it will file a status report on the parties’ efforts to resolve the dispute no later than May 15, 2017. LG&E further requests, pursuant to 807 KAR 5:001, Section 5(2), an extension of the seven-day period in which to file a substantive response to Louisville Metro’s motion to no later than seven

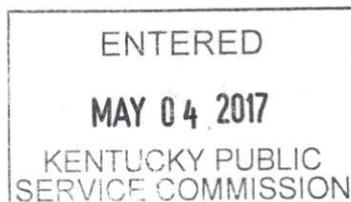
days from the date the parties report that the dispute cannot be resolved. By electronic mail dated April 28, 2017, counsel for Louisville Metro indicated that Louisville Metro did not object to LG&E's request for an extension of time to file a response to the motion to compel. A copy of the electronic mail is attached as an Appendix to this Order.

Having reviewed the pleadings and being otherwise sufficiently advised, the Commission finds that LG&E has established good cause to permit an extension of time to file a substantive response to Louisville Metro's motion to compel. The Commission further finds that LG&E's motion for an extension of time for the filing of rebuttal testimony is moot in light of the Commission's April 21, 2017 Order.

IT IS THEREFORE ORDERED that:

1. LG&E's motion to extend the deadline for filing of rebuttal testimony is denied as moot.
2. LG&E's request for an extension of the period of time for it to file a substantive response to Louisville Metro's motion to compel to no later than seven days from the date the parties report the discovery dispute cannot be resolved is granted.
3. LG&E shall file a status report on the parties' efforts to resolve the discovery dispute on or before May 15, 2017.

By the Commission



ATTEST:


Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2016-00317 DATED **MAY 04 2017**

Nguyen, Quang D (PSC)

From: Gregory Dutton <gdutton@goldbergsimpson.com>
Sent: Friday, April 28, 2017 1:39 PM
To: Raff, Richard G (PSC); Nguyen, Quang D (PSC)
Cc: Riggs, Kendrick R.; O'Connell, Mike
Subject: Case No. 2016-00317, Louisville Gas Franchise Fee

Counselors,

After reviewing the LGE Response filed yesterday in the above captioned case, Louisville does not object to LG&E's request to file a supplemental response 7 days after the parties have held a conference call in a second attempt to resolve the discovery dispute, should that call fail to resolve the dispute. If any of you have questions or need further clarification on Louisville's position, please feel free to contact me.

Regards,
Greg

Gregory T. Dutton
Goldberg Simpson, LLC
Norton Commons
9301 Dayflower Street
Prospect, KY 40059
Main: (502) 589-4440
Fax: (502) 581-1344
gdutton@goldbergsimpson.com

**GOLDBERG
SIMPSON**

** ** ** **

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*Honorable Allyson K Sturgeon
Senior Corporate Attorney
LG&E and KU Energy LLC
220 West Main Street
Louisville, KENTUCKY 40202

*Robert Conroy
LG&E and KU Energy LLC
220 West Main Street
Louisville, KENTUCKY 40202

*Gregory T Dutton
Goldberg Simpson LLC
9301 Dayflower Street
Louisville, KENTUCKY 40059

*Louisville Gas and Electric Company
220 W. Main Street
P. O. Box 32010
Louisville, KY 40232-2010

*Jody Kyler Cohn
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

*Louisville Gas and Electric Company
220 W. Main Street
P. O. Box 32010
Louisville, KY 40232-2010

*Honorable Kurt J Boehm
Attorney at Law
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

*Honorable Kendrick R Riggs
Attorney at Law
Stoll Keenon Ogden, PLLC
2000 PNC Plaza
500 W Jefferson Street
Louisville, KENTUCKY 40202-2828

*Michael J O'Connell
Jefferson County Attorney
Brandeis Hall of Justice
600 West Jefferson St., Suite 2086
Louisville, KENTUCKY 40202

*Honorable Michael L Kurtz
Attorney at Law
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202